



ATTORNEY'S DOCKET NO. P00547/70051 PCL

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: R. Rox Anderson et al.
Serial No: 09/769,960
Confirmation No.: 5919
Filed: January 25, 2001
For: METHOD AND APPARATUS FOR MEDICAL TREATMENT UTILIZING
LONG DURATION ELECTROMAGNETIC RADIATION

Examiner: Not yet assigned
Art Unit: 3737

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is/are the following document(s):

- ☒ Information Disclosure Statement
- ☒ Form PTO-1449 and References
- ☒ Return Receipt Postcard

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TECHNOLOGY CENTER R3700

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

There is no fee believed payable in this matter. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

**CERTIFICATE OF MAILING UNDER
37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 5th day of June, 2002.

Nancy G. Kelly
Nancy G. Kelly

Respectfully Submitted,

Peter C. Lando
Peter C. Lando, Reg. No. 34,654
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Docket No. P00547/70051 PCL
June 5, 2002

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ATTORNEY'S DOCKET NO: P00547/70051 PCL/TC

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Nancy G. Kelly
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Commissioner for Patents
Washington, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

Information Cited

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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B. The Applicant hereby makes the following additional information of record in the above-identified application.

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

| <u>Serial No.</u> | <u>Filing Date</u> | <u>Inventor(s)</u> | <u>Title of Application</u> |
|-------------------|--------------------|---------------------------------|---|
| 09/268,433 | March 12, 1999 | Altshuler | System for Electromagnetic Radiation Dermatology and Head for the Use Therewith |
| 09/473,910 | December 28, 1999 | Altshuler, Zenzie | Light Energy Delivery Head |
| 09/634,981 | August 9, 2000 | Altshuler, Anderson | Heads for Dermatology Treatment |
| 10/033,302 | December 27, 2001 | Anderson | Method and Apparatus for EMR Treatment |
| 10/052,474 | January 18, 2002 | Altshuler et al. | Light Energy Delivery Head |
| 09/277,307 | March 26, 1999 | Altshuler, Anderson Manstein | Method and Apparatus for the Selective Targeting of Lipid-Rich Tissues |

Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

AT 400 305 B generally relates to a device for treatment of skin zones.

DE 3837248 A1 generally relates to a device for the treatment of skin changes.

FR 2591902 generally relates to an apparatus for external laser therapy.

RU4954402 generally relates to a reflexotherapy device. An English Abstract is enclosed.

RU94012665 generally relates to a method of treatment of tooth hard tissues by laser radiation and device for its realization. An English Abstract is enclosed.

RU94040344 generally relates to a method of treatment of tooth hard tissues by laser radiation and device for its realization. An English Abstract is enclosed.

RU95102749 generally relates to an apparatus for laser treatment of biological tissues. An English Abstract is enclosed.

RU95105406 generally relates to a tip piece of laser system for treating biological tissue. An English Abstract is enclosed.

WO 96/25979 generally relates to devices for use in the laser treatment of biological tissue and variants thereof. An English Abstract is enclosed.

WO 01/42671 A1 generally relates to a guide rail for a linear bearing. An English Abstract is enclosed.

Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
R. Rox Anderson et al., Applicants

By: 

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Docket No. P00547/70051 PCL/TC
Dated: 6/05/02